

**SUPREME COURT MINUTES  
FRIDAY, MARCH 26, 2010  
SAN FRANCISCO, CALIFORNIA**

**S181296**

**MEHTA (SUMAN) v. COURT  
OF APPEAL, THIRD  
APPELLATE DISTRICT  
(LIPWORTH & SINGH)**

Petition for writ of mandate/prohibition & application for stay denied

**S024046**

**PEOPLE v. O'MALLEY  
(JAMES FRANCIS)**

Extension of time granted

Good cause appearing, and based upon counsel Cliff Gardner's representation that he anticipates filing the appellant's reply brief by April 21, 2010, counsel's request for an extension of time in which to file that brief is granted to April 22, 2010. After that date, no further extension is contemplated.

**S033149**

**PEOPLE v. WEAVER  
(LATWON REGENIAL)**

Extension of time granted

Good cause appearing, and based upon counsel James S. Thomson's representation that he anticipates filing the appellant's reply brief by September 10, 2010, counsel's request for an extension of time in which to file that brief is granted to June 7, 2010. After that date, only two further extensions totaling about 90 additional days will be granted.

**S065575**

**CHAMPION (STEVEN  
ALLEN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Steven E. Mercer's representation that he anticipates filing the reply to petitioner's brief on the merits and exceptions to the referee's report by May 24, 2010, counsel's request for an extension of time in which to file that document is granted to May 24, 2010. After that date, no further extension will be granted.

**S093944****PEOPLE v. BERTSCH (JOHN  
ANTHONY) & HRONIS  
(JEFFERY LEE)**

Extension of time granted

On application of appellant John Anthony Bertsch and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 25, 2010.

**S130263****GAY (KENNETH EARL) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary D. Sowards's representation that he anticipates filing the traverse by June 1, 2010, counsel's request for an extension of time in which to file that document is granted to June 1, 2010. After that date, no further extension is contemplated.

**S140140****ELLIOT (MICHAEL LEE) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel James M. Crawford's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 28, 2010, counsel's request for an extension of time in which to file that document is granted to May 28, 2010. After that date, no further extension is contemplated.

**S159540****BENNETT (ERIC WAYNE)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Tamara P. Holland's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 28, 2010, counsel's request for an extension of time in which to file that document is granted to May 28, 2010. After that date, no further extension is contemplated.

**S175417****RAMOS, JR., (WILLIAM  
JAMES) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Katherine Alfieri's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 3, 2010, counsel's request for an extension of time in which to file that document is granted to May 3, 2010. After that date, no further extension is contemplated.

**S176494****JENKINS (DANIEL STEVEN)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Marc A. Kohm's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by July 20, 2010, counsel's request for an extension of time in which to file that document is granted to June 1, 2010. After that date, only one further extension totaling about 50 additional days is contemplated.

**S181148****RASHEED (TAHEE ABD')v.  
CALIFORNIA STATE  
PRISON AT FOLSOM  
(WALKER)**

Transferred to Court of Appeal, Third Appellate District

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S179616****BAKER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SCOTT G. BAKER, State Bar Number 187710, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SCOTT G. BAKER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S179629****ANDERSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL DALE ANDERSON, State Bar Number 194493, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. MICHAEL DALE ANDERSON is suspended from the practice of law for the first 30 days of probation;
2. MICHAEL DALE ANDERSON must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 3, 2009; and

3. At the expiration of the period of probation, if MICHAEL DALE ANDERSON has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL DALE ANDERSON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If MICHAEL DALE ANDERSON fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S179631****DUNLAP, JR., ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that GEORGE HALL DUNLAP, JR., State Bar Number 138896, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. GEORGE HALL DUNLAP, JR., is suspended from the practice of law for the first two years of probation;
2. GEORGE HALL DUNLAP, JR., must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 9, 2009; and
3. At the expiration of the period of probation, if GEORGE HALL DUNLAP, JR., has complied with all conditions of probation, the three year period of stayed suspension will be satisfied and that suspension will be terminated.

GEORGE HALL DUNLAP, JR., must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

GEORGE HALL DUNLAP, JR., must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S179641****COLLINS ON DISCIPLINE**

Recommended discipline imposed

The court orders that TERRY ROMERO COLLINS, State Bar Number 225677, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. TERRY ROMERO COLLINS is suspended from the practice of law for the first 90 days of probation, and will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Herece Tuggles in the amount of \$1,330 plus 10 percent interest per year from April 11, 2007 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Herece Tuggles, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
  - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. TERRY ROMERO COLLINS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 19, 2009; and
3. At the expiration of the period of probation, if TERRY ROMERO COLLINS has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

TERRY ROMERO COLLINS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

TERRY ROMERO COLLINS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S179648****BATH ON DISCIPLINE**

Recommended discipline imposed

The court orders that SAMUEL WILLIAM BATH, State Bar Number 217118, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for 18 months subject to the following conditions:

1. SAMUEL WILLIAM BATH must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 1, 2009; and
2. At the expiration of the period of probation, if SAMUEL WILLIAM BATH has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S179653****GINGERY ON DISCIPLINE**

Recommended discipline imposed

The court orders that JUSTIN MATTHEW GINGERY, State Bar Number 204217, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. JUSTIN MATTHEW GINGERY is suspended from the practice of law for the first 120 days of probation;
2. JUSTIN MATTHEW GINGERY must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 18, 2009; and
3. At the expiration of the period of probation, if JUSTIN MATTHEW GINGERY has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

JUSTIN MATTHEW GINGERY must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

JUSTIN MATTHEW GINGERY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2011 and 2012. If JUSTIN MATTHEW GINGERY fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S179656****LOSEY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that F. RICHARD LOSEY, State Bar Number 49078, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

F. RICHARD LOSEY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.